

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

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STATE OF OKLAHOMA, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 4:05-cv-00329-GKF-PJC
	)	
TYSON FOODS, INC., <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	
	)	

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**DECLARATION OF THOMAS C. GINN, Ph.D.**

I, Thomas C. Ginn, Ph.D., hereby state as follows

1. I am a Principal Scientist in the EcoSciences practice at Exponent, a scientific and engineering consulting firm.
2. I have been retained by Faegre & Benson LLP, on behalf of Cargill Inc. and Cargill Turkey Production LLC, in this matter to evaluate the condition of biological resources in the Illinois River, its tributaries, and Tenkiller Ferry Lake in Oklahoma. Specifically, I have evaluated the available data on benthic macroinvertebrates (BMI) and fishes in the Illinois River and its tributaries above Tenkiller Ferry Lake. I have also evaluated the conditions of these resources in Tenkiller Ferry Lake.
3. I authored and submitted to my client an expert report detailing my work and conclusions in this matter. I understand that this report was served on Plaintiffs on January 30, 2009. I incorporate that report herein by reference.

4. If called to testify at trial, I would testify consistent with the opinions expressed in that report.

I declare under penalty of perjury that the foregoing is true and correct.

Executed 5 June, 2009.

A handwritten signature in cursive script, appearing to read "Thomas C. Ginn".

Thomas C. Ginn  
Principal Scientist, Exponent, Inc.